

FORM PTO-1390 (REV 07-2005)		ATTORNEY DOCKET NUMBER 4649-4002US1
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) TE 04/29/2004
INTERNATIONAL APPLICATION PCT/US2005/007524	INTERNATIONAL FILING DATE 3 March 2005	PRIORITY DATE CLAIMED 03 March 2004
TITLE OF INVENTION COMPOSITIONS AND METHODS FOR TOPICAL APPLICATION AND TRANSDERMAL DELIVERY OF BOTULINUM TOXINS		
APPLICANT(S) FOR DO/EO/US DAKE, Michael D and WAUGH, Jacob M.		
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. <input checked="" type="checkbox"/> The US has been elected. (Article 31). <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> An English language translation of the International application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input type="checkbox"/> A preliminary amendment. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A power of attorney and/or change of address letter. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821-1.825. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). <input type="checkbox"/> Other items or Information: 		

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NO.		
TBA	101591732 PCT/US2005/007524	4649-4002US1		
The following fees have been submitted		CALCULATIONS		
21. <input checked="" type="checkbox"/> Basic national fee.....		\$300		
22. <input type="checkbox"/> Examination fee If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33 (1)-(4).....		\$0		
All other situations		\$200		
23. <input type="checkbox"/> Search fee If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1) – (4)		\$0		
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority		\$100		
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB		\$400		
All other situations		\$500		
		(\$200.00)		
		(\$100.00)		
TOTAL OF 21, 22 and 23 =		\$300.00		
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		
61 - 100 =	0/50 =	x \$250.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).		\$		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	150 - 20 =	130	x \$50.00	(\$6,500.00)
Independent claims	4 - 3 =	1	x \$200.00	(\$ 200.00)
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$
				TOTAL OF ABOVE CALCULATIONS = (\$7,300.00)
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by $\frac{1}{2}$.				\$
				SUBTOTAL = (\$7,300.00)
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$
				TOTAL NATIONAL FEE = (\$7,300.00)
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$
				TOTAL FEES ENCLOSED = \$300.00
			Amount to be refunded:	\$
			Amount to be charged:	\$300.00
<p>a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 13-4500 in the amount of <u>\$300.00</u> to cover the basic national fee.</p> <p>c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-4500. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>				
<p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>				
<p>SEND ALL CORRESPONDENCE TO: CUSTOMER NO. 27123 Enter Address Here Matthew K. Blackburn, Esq. MORGAN & FINNEGAN LLP 3 World Financial Center NY, NY 10281 2101 Tel: 212 415 8700 Fax: 212 415 8701</p>				
<p> Matthew K. Blackburn Name September 1, 2006 Date 47,428 REGISTRATION NUMBER</p>				

10/591732

1AP20 Rec'd PCT/PTO 01 SEP 2006
Docket No. 4649-4002US1

IN THE UNITED STATES

RECEIVING OFFICE (RO/US)
 DESIGNATED OFFICE (DO/US)
 ELECTED OFFICE (EO/US)

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TITLE OF INVENTION COMPOSITIONS AND METHODS FOR TOPICAL APPLICATION AND TRANSDERMAL DELIVERY OF BOTULINUM TOXINS		
APPLICANT(S) FOR DO/EO/US WAUGH, Jacob M. and DAKE, Michael D.		

Commissioner for Patents
Box PCT
PO Box 1450
Alexandria, Virginia 22313 1450
Attention: DO/EO/US

**VERIFIED CERTIFICATION OF EXPRESS MAILING DATE
(INTERNATIONAL APPLICATION (37 CFR 1.10(c)))**

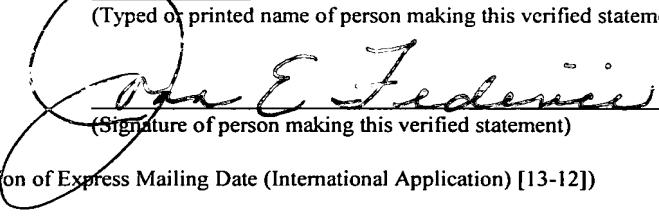
I declare that on the date indicated below, I deposited with the United States Postal Service in an envelope "Express Mail, Post Office to Addressee", bearing Label Number EV 825707220 US, addressed to the "Commissioner for Patents, Box PCT, Alexandria, VA 22313 1450, Attention: DO/EO/US" and having an express mail certification which I executed, the following papers:

- a. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371, duly executed (in duplicate);
- b. Copy of International Application Published Under the Patent Cooperation Treaty (PCT);
- c. Copy of International Search Report;
- d. Copy of Written Opinion; and
- e. Return Receipt Postcard.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Joan E Federici
(Typed or printed name of person making this verified statement)

Date: September 1, 2006


(Signature of person making this verified statement)

(Verified Certification of Express Mailing Date (International Application) [13-12])